IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Notice of Motion No. 509 of 2004
In
Writ Petition No. 820 of 1998

Mr. Ramkumar Babusingh .. Petitioner.
V/s.
The Municipal Commissioner & Anr. .. Respondents.

Mr. Manish Mistry i/b. M/s. M.P. Vashi & Associates for the Petitioner.
Mrs. N.V. Sanglikar the Respondent-BMC.

CORAM : S. RADHAKRISHNAN &
S.A. BOBDE, JJ.
DATED : 14.10.2004.

P.C.:-

1. Heard the learned counsel for the Petitioner and the learned counsel for the Respondent. By this Notice of Motion, the Petitioner is seeking recall of our order dated 1.9.2004, whereby the above Petition was dismissed for default. Perused the Affidavit-in-Reply in the Notice of Motion. Sufficient cause is made out. There is no case of inaction, negligence or want of bonafide. Under these circumstances, Notice of Motion is made absolute in terms of prayer clause (a), subject to the Petitioner paying costs quantified @ Rs. 500/- (Rs. Five Hundred Only) within two weeks from today with the Maharashtra State Legal Services Authority. Place the Petition on Board for final hearing on 30.11.2004.

(S. RADHAKRISHNAN, J.)

(S.A. BOBDE, J.)